



Resolution #HSRA 14-35

Adoption of Findings Pursuant to Government Code § 51292 (Madera and Fresno Counties)

WHEREAS, pursuant to the Williamson Act, the Authority must adopt specific findings prior to locating a public improvement within an agricultural preserve, including for properties subject to a Williamson Act contract;

WHEREAS, the Authority has pursued a tiered environmental review process and has been cognizant of its obligations under the Williamson Act as part of that process;

WHEREAS, the Authority utilized a tiered environmental process to identify preferred corridors for additional study in project-level environmental documents;

WHEREAS, through the tiered environmental process, the Authority prioritized a high-speed rail corridor running through the major cities in the Central Valley, including Merced, Fresno and, Bakersfield, rather than bypassing them, to meet the project purpose and need;

WHEREAS, the Authority has undergone a thorough environmental review process for the Merced to Fresno and Fresno to Bakersfield sections of the high-speed rail system, which concluded in May of 2012 and May of 2014 respectively with the certification of the Merced to Fresno and Fresno to Bakersfield Final EIR/EIS documents;

WHEREAS, as part of this process, the Authority has entered into an agreement with the Department of Conservation Farmland Conservancy Program to fund the purchase of agricultural conservation easements on farmland from willing sellers in the Merced to Fresno and Fresno to Bakersfield sections that will reduce adverse impacts to Important Farmland in the same agricultural region where parcels are acquired;

WHEREAS, the Authority is proceeding with acquisition of real property in Merced and Fresno Counties as part of constructing a portion of the Merced to Fresno and Fresno to Bakersfield sections of the high-speed rail system;

WHEREAS, the Authority must acquire real property on land within an agricultural preserve, including properties subject to a Williamson Act contract, in Madera and Fresno Counties to construct the high-speed rail system;

WHEREAS, the Authority is contacting affected property owners to negotiate a fair market value for the parcel to be acquired, with the expectation that it can reach a successful settlement in lieu of eminent domain without needing to exercise its authority of eminent domain;

WHEREAS, the Authority is also providing relocation benefits to residents and businesses displaced by the acquisition;

THEREFORE, IT IS RESOLVED:

- 1.) Pursuant to Government Code section 51292(a), the Authority finds that the location of the high-speed rail alignment, specifically as to the four listed parcels in Madera and Fresno counties addressed in the November 18, 2014 staff report, is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.
- 2.) Pursuant to Government Code section 51292(b), the Authority finds that for those four parcels in Madera and Fresno counties listed in the November 18, 2014 staff report and which are covered by a Williamson Act contract, there is no other land for the high-speed train alignment within or outside an agricultural preserve on which it is reasonably feasible to locate the public improvement.

Vote:

Date:

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